


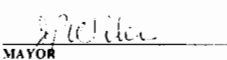
MINUTES OF MEETING HELD AUGUST 23, 2004

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, August 23, 2004 at 7:00 p.m. with the following present: Mayor: J.P. Wiles, Council Members: John Minton, Earl Owens, Pat Bourne, Peggy Dugger, Joann Norfleet, Clarence Floyd, Jerry Wheeldon, Mark Beasley, Jerry Girdler, Charles New, and Donna Hunley. City Attorney Dan Yeast and City Clerk David Godsey. Absent: Council Member Jerry Burnett.

Mayor Wiles introduced new Police Chief David Biggerstaff.

Mr. Wheeldon moved to approve the minutes of the last regular meeting held on August 9, 2004 and the reports be approved as delivered. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Owens, Mr. Bourne, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Second reading was given the following Ordinance:

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| <p>ORDINANCE NO. 04-10</p> <p>THIS ORDINANCE NUMBER 04-10 FIXING THE TAX LEVY, AD VALOREM, FRANCHISE TAX, AND TAX FOR THE CITY OF SOMERSET, KENTUCKY, FOR THE FISCAL YEAR BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005 PROVIDING PENALTY AND INTEREST FOR NON-PAYMENT.</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>SECTION 1. That for the purpose of providing income for general municipal expenses for the City of Somerset, Kentucky, for the fiscal year beginning July 1, 2004 and ending June 30, 2005 is hereby levied an ad valorem of nineteen point six cents (.196) on each hundred dollars (\$100.00) of taxable property within the city limits of Somerset, Kentucky.</p> <p>SECTION 2. That the nineteen point six cents (.196) ad valorem on each one hundred dollars (\$100.00) of taxable property within the city limits of Somerset, Kentucky, levied shall be deposited in the general fund account and shall be used to pay on general expenses incidental to the operation of the city government.</p> <p>SECTION 3. That for the purpose of providing income for general municipal expenses for the City of Somerset, Kentucky for the fiscal year beginning July 1, 2004 and ending June 30, 2005, there is hereby levied a tax of twenty two point three cents (.223) on each hundred dollars (\$100.00) on personal property, tangible and intangible of franchise holders as determined by the Department of Revenue within the city limits of Somerset, Kentucky.</p> <p>SECTION 4. The twenty two point three cents (.223) on each one hundred dollars (\$100.00) for franchise property within the city limits of Somerset, Kentucky, shall be deposited in the general fund account and is to be used to pay on expenses incidental to the operation of city government.</p> <p>SECTION 5. That a one percent (.01%) discount shall be allowed on each one dollar (\$1.00) collected before November 1, 2004.</p> <p>SECTION 6. That there shall be added to and collected a penalty of twenty percent (.20%) and interest of six percent (.06%) per annum upon each one dollar (\$1.00) of all taxes herein provided for and unpaid after January 1, 2005 until such time that said taxes are paid.</p> <p>SECTION 7. This Ordinance is to become in full force and effect on and after its approval and passage according to law.</p> <p>FIRST READING <u>August 9, 2004</u> SECOND READING <u>August 23, 2004</u></p> <p>ATTEST:</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;">  CITY CLERK </div> <div style="text-align: center;">  MAYOR </div> </div> |
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Mrs. Dugger moved to approve the above Ordinance on its second reading. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Owens, Mr. Bourne, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Second reading was given the following Ordinance:

ORDINANCE NO. 04-11

AN ORDINANCE IMPOSING A BANK FRANCHISE AND LOCAL DEPOSIT TAX; SETTING FORTH TIME TABLES FOR THE COLLECTION OF SUCH TAX FOR THE YEAR 2004 AND ALL SUBSEQUENT YEARS; AND SETTING FORTH ENFORCEMENT PROCEDURES, INCLUDING PENALTIES FOR THE COLLECTION OF DELINQUENT TAXES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, KENTUCKY AS FOLLOWS:

SECTION 1: There is hereby imposed on all "financial institutions" as defined in KRS Chapter 136, located within the corporate limits of the City of Somerset, Kentucky, for the 2004 tax year and all subsequent years, a franchise tax at the rate of 0.025% on all deposits, as defined in KRS Chapter 136, maintained by such financial institutions.

SECTION 2: The City of Somerset, Kentucky will issue tax bills to financial institutions no later than December 1 of each year. Payment of the tax shall be due with a two percent (2%) discount by December 31 of each year, or without discount by January 31 of each year.

SECTION 3: The City of Somerset, Kentucky, shall have a lien for taxes on the property assessed for taxes to the extent allowed under KRS 134-420.

SECTION 4: All taxes due in accordance with these sections which are not paid before June 30, 2005 for the tax year 2004, or which are not paid before January 31, for all subsequent tax years shall be deemed delinquent and shall be subject to a penalty of .20% and shall bear interest at the rate of 6% per annum.

SECTION 5: All moneys collected pursuant to these sections shall be paid into the General Fund of the City to be used for the payment of proper expenditures as determined by the City Council.

SECTION 6: The City Clerk is hereby directed to send a copy of their Ordinance to the Commissioner of the Kentucky Department of Revenue, Frankfort, Kentucky.

FIRST READINGAugust 9, 2004

SECOND READINGAugust 23, 2004

ATTEST:

CITY CLERK

MAYOR

Mr. New moved to approve the above Ordinance on its second reading. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Owens, Mr. Bourne, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Second reading was given the following Ordinance:

ORDINANCE NO. 04-12

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, AMENDING ORDINANCE NO. 03-04 AND ANY OTHER APPLICABLE ORDINANCE ESTABLISHING RATES AND CHARGES FOR USE OF THE SERVICES AND FACILITIES OF THE MUNICIPAL GARBAGE COLLECTION SERVICE.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

1. As of July 1, 2004 all charges of the municipal garbage collection service for the subsequent year and following years, that is from July 1, 2004 to July 1, 2005, July 1, 2005 to July 1, 2006, etc., shall be raised directly proportional to the annual inflationary rate for the previous year as provided to the City by the Kentucky League of Cities.

2. This Ordinance shall become effective immediately upon the passage and publication of this Ordinance.

FIRST READING:August 9, 2004

SECOND READING:August 23, 2004

APPROVED:

MAYOR

ATTEST:

CITY CLERK

MAYOR

Mr. Wheeldon moved to approve the above Ordinance on its second reading. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley. Voting "Nay": Mrs. Dugger, and Mrs. Norfleet.

Mrs. Norfleet moved to approve the following Transmission Line Right of Way Mowing Bid. The bid being awarded to Bray's Welding & Metal Fabrication. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Owens, Mr. Bourne, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

**ADVERTISEMENT FOR BIDS
FOR
RIGHT-OF-WAY CLEARING**

The City of Somerset Gas Service is accepting sealed bids for the clearing of its pipeline right-of-way in Casey, Russell, Pulaski, Laurel, Clay and Lenoir counties, Kentucky, consisting of bushhogging and/or cutting by hand all vegetation growth from approximately 160 miles of right of way.

Sealed bids will be received until 2:00 p.m. (local time) August 20, 2004, then opened and publicly read aloud at City Hall Council Chambers, 400 East Mt. Vernon Street, Somerset, KY 42501.

A more detailed description of the scope of the work to be done may be obtained from the Somerset City Clerk's Office at 400 East Mt. Vernon Street or by contacting William H. Lowery at (606) 678-4468.

**J.P. Wilcox
Mayor**

**Somerset
GAS**
P.O. Box 989
Somerset, Kentucky 42502-0989
(606) 678-4466 • (606) 678-4227 Fax
MEMORANDUM

TO: CHAIRMAN
SOMERSET GAS SERVICE COMMITTEE

FROM: BILL LOWERY
SOMERSET GAS SERVICE
MANAGER

DATE: AUGUST 23, 2004

SUBJECT: **TRANSMISSION LINE R/W MOWING**

WE HAVE RECEIVED THREE (3) QUOTES TO MOW THE TRANSMISSION LINE RIGHT-OF-WAY.

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|---------------------------------------|----------------------|
| 1. BRAY'S WELDING & METAL FABRICATION | <u>\$388.00/MILE</u> |
| 2. CLARK CONTRACTING | \$389.00/MILE |
| 3. CHARLIE ACTION TREE & LAWN SERVICE | \$391.00/MILE |

IT IS RECOMMENDED THAT WE AWARD THE JOB TO BRAY'S WELDING AT \$388.00/MILE WHICH IS THE LOWEST BID.


TOTAL JOB COST APPROXIMATELY \$62,080.00


Equal Opportunities Employer M/F/H/V (606) 678-5176 (TDD)

Mrs. Norfleet made a motion to go into executive session to discuss possible land acquisition, and possible litigation. Mrs. Dugger seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Owens, Mr. Bourne, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

No action was taken in the above executive session.

There being no further business the meeting was adjourned.

ATTEST: 
CITY CLERK

APPROVED: 
MAYOR